

REMARKS

Prior to publication of the issued patent, the Applicant requests that the specification be amended to correct obvious errors. These obvious errors include the recitation of “octadecylcyclotetrasiloxane” in Example 1, page 16, line 10, where “octamethylcyclotetrasiloxane” is obviously intended; and the recitation of “TMDS” in Example 12, page 21, line 25, where “TMCTS” is obviously intended.

The original term “octadecylcyclotetrasiloxane” in Example 1, page 16, line 10 is in itself meaningless, because cyclotetrasiloxane does not have 18 (“octadecyl”) substitution points. The skilled person would therefore immediately recognize that this term is in error. This is all the more supported by the fact that the term is not mentioned anywhere else in the application.

The skilled person being aware of the error would search the application for what would be intended and would observe that the other Examples refer to “octamethylcyclotetrasiloxane” instead. The skilled person would recognize that the Examples are set up in pairs (Examples 1, 3, 5, 7, and 9 are directed to the preparation of siloxane macromolecules, while Examples 2, 4, 6, 8, and 10 are directed to the physical properties thereof when cured). All of the preparations of Examples 3, 5, 7, and 9 involve the mixing of tetramethyldisiloxane stock solution with tetramethylcyclotetrasiloxane stock solution and octamethylcyclotetrasiloxane in a round bottom flask under an inert atmosphere. In view of this, the skilled person would immediately recognize that instead of the erroneous term “octadecylcyclotetrasiloxane” used in Example 1, in fact the term “octamethylcyclotetrasiloxane” was intended.

Therefore, the correction in Example 1 is proper and does not introduce new matter.

The original term “TMDS” in Example 12, page 21, line 25 also is an obvious error. Example 12 refers to the stock solutions in Example 1. The only hydrosilyl containing cyclic siloxane mentioned in Example 1 is tetramethylcyclotetrasiloxane (TMCTS). Thus, the skilled

person would recognize that TMCTS is the compound that was intended, not TMDS.

Furthermore, Example 12 describes a two-step process. The first step describes formation of the macromonomer precursor, (*i.e.* the conversion of poly(dimethylsiloxane-co-diphenylsiloxane), divinyl terminated diphenylsiloxane into poly-methylhydrosiloxane-dimethylsiloxane), divinyl terminal copolymer) while the second step describes conversion of the silyl groups into the desired functional groups to generate the named macromonomer. The desired macromonomer has functional groups both within and at the end of the polymer chain.

Thus, for the second step to proceed, hydrosilyl groups must be present at both the ends and within the polymer chain. Example 12 teaches that the ends of the polymer are already terminated with vinyl groups prior to the start of step 2. Accordingly, hydrosilyl groups must be incorporated within the siloxane chain, so that they may be converted to the desired functional group in step 2, for step 2 to be meaningful.

The precursor siloxane chain for step 1 does not contain hydrosilyl groups within the chain. Thus, step 1 must incorporate hydrosilyl groups within the chain (to get the methylhydrosiloxane component). However, the skilled person would immediately recognize that step 1 as described would not incorporate hydrosilyl groups within the chain.

The skilled person would recognize the reaction described to be a cationic ring opening polymerization. Thus for hydrosilyl groups to be incorporated into the polymer chain, a cyclic hydrosilyl compound must be added. Since the only compound containing hydrosilyl groups described in Example 12, tetramethyldisiloxane (TMDS), is a linear siloxane, the skilled person would immediately recognize this to be an error (as TMDS would not incorporate hydrosilyl groups into the polymer chain, but instead would add them at the terminal ends). As mentioned, the skilled person would recognize that a cyclic siloxane that contains hydrosilyl groups is necessary if this Example is to be meaningful.

In search for the intended hydroxyl containing cyclic siloxane, the skilled person would notice that Example 12 refers to the stock solutions in Example 1. The only hydrosilyl containing cyclic siloxane mentioned in Example 1 is tetramethylcyclotetrasiloxane (TMCTS). Thus, the skilled person would recognize that TMCTS is the compound that was intended.

In addition, the skilled person would further recognize that the molecular weight indicated for the polymers formed by Example 12 could not be achieved if TMDS and not TMCTS was employed. Incorporation of TMDS into the polymer chain would result in termination of the polymerisation reaction, resulting in shorter polymer chains (with a lower molecular weight) than disclosed in Example 12. The skilled person would recognize that, in order to achieve the desired molecular weight, a reagent capable of facilitating chain extension would have to be employed. For reasons discussed above, the person skilled in the art would immediately recognize that TMCTS would be intended.

Therefore, the correction in Example 12 is proper and does not introduce new matter.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read "M. Scott McBride". The signature is fluid and cursive, with the first letters of the first and last names being capitalized and prominent.

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